



PATENT  
ATTORNEY DOCKET NO. KCK-002  
(KCK-002)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** Fisher et al. **CONFIRMATION. NO.:** 6505  
**SERIAL NO.:** 10/579,513 **GROUP ART UNIT:** Not Yet Assigned  
**FILED:** May 12, 2006 **EXAMINER:** Not Yet Assigned  
**TITLE:** Deep Well Irrigation Pump

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.47(a): Filing When an Inventor Cannot be Reached**

Goodwin Procter, LLP ("Goodwin Procter") filed the above-referenced utility application, United States Serial No. 10/579,513 ("the '513 application"), in the United States Patent and Trademark Office ("USPTO") on May 12, 2006, in the name of Martin J. Fisher, Lawrence E. Carlson, Ari T. Adler, Shilajeet Banerjee, Jonathon I. Kaplan, Christine M. Kurjan, Ben Tarbell, Opher Doron Yom-Tov, Robert Ian Lister, Alan Charles Sybey, and Abdilkadir Mohammed Musa. On February 28, 2007, a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office indicating that an executed oath or declaration needed to be submitted to the USPTO was mailed to Goodwin Procter by the USPTO.

Goodwin Procter has obtained declaration and power of attorney forms executed by Messrs. Fisher, Carlson, Adler, Banerjee, Kaplan, Tarbell, Yom-Tov, Lister, Sybey, and Ms. Kurjan. Assignee, KickStart International ("KickStart"), has made repeated attempts to contact Mr. Musa and obtain the executed declaration and power of attorney from him, but as of May 18, 2007, KickStart has been unable to reach Mr. Musa.

In support of this petition and in accordance with the requirements of 37 C.F.R. § 1.47(a), enclosed herewith are proofs of the pertinent facts by Statement of Facts by Ms. Anne Lantey, KickStart's Manager of Human Resources & Administration in Nairobi, Kenya. As evidenced by the Statement of Facts written by Ms. Lantey, attached hereto, KickStart has made several attempts to contact Mr. Musa, with no success. In particular, KickStart has made repeated attempts, via telephonic contact, postal mail, visiting Mr. Musa's official residence, and contacting Mr. Musa's friend, to contact Mr. Musa and to obtain an executed declaration from him. Mr. Musa's last known address is: PO Box 10973, Nairobi, Kenya.

In view of the fact that Mr. Musa cannot be reached, it is respectfully petitioned that the declaration and power of attorney executed by Messrs. Fisher, Carlson, Adler, Banerjee, Kaplan, Tarbell, Yom-Tov, Lister, Sybey and Ms. Kurjan be accepted and that the '513 application be made by Messrs. Fisher, Carlson, Adler, Banerjee, Kaplan, Tarbell, Yom-Tov, Lister, Sybey and Ms. Kurjan on their behalf and on the behalf of Mr. Musa.

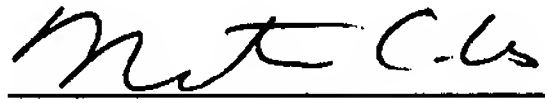
A check in the amount of \$325.00 is enclosed, \$200.00 of which is for the fee associated with this petition. No additional fees are believed to be due; however, in the event that any additional fees are due, please charge such fees to Deposit Account No. 07-1700.

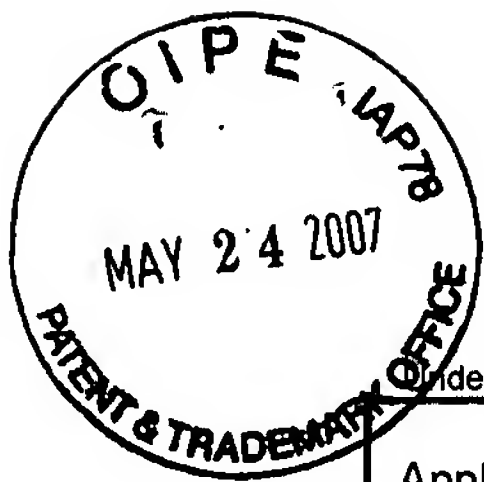
Granting of the instant petition is respectfully requested.

Respectfully submitted,

Date: May 18, 2007  
Reg. No. 44,381

Tel. No.: (617) 570-1806  
Fax No.: (617) 523-1231  
Customer No. 051414

  
\_\_\_\_\_  
Natasha C. Us  
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Exchange Place  
53 State Street  
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IAP12 Rec'd PCT/PTO 24 MAY 2007

PTO/SB/92 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 10/579,513

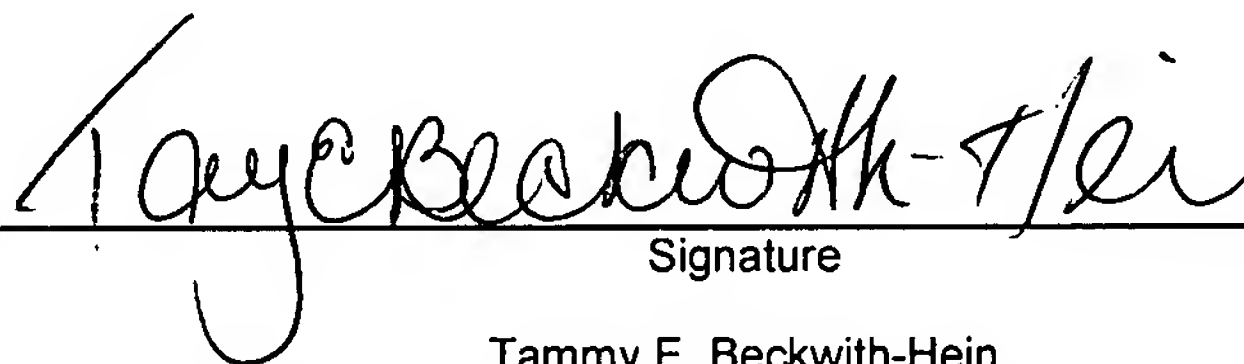
Attorney Docket No.: KCK-002

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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on May 18, 2007  
Date



Signature

Tammy E. Beckwith-Hein

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 570-8248

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Fee Transmittal (1 page)

Petition for Extension of Time Under 37 CFR 1.136(a) (1 page)

Petition Under 37 C.F.R. Sec. 1.47(a): Filing When an Inventor Cannot be Reached, including Statement of Facts (4 pages)

Response to Notification of Missing Requirements (1 page)

Part 2 Copy of Notification (2 pages)

Declaration and Power of Attorney for Patent Application (15 pages)

Check in the amount of \$325.00

Return Receipt Postcard

# KickStart



The Tools to End Poverty

**KickStart International Inc (formerly ApproTEC)**

P.O. Box 64142, NAIROBI 00620 KENYA

Tel/Fax Nos. +254-20-3740175/8

E-Mail Address: [kickstart@kickstart.org](mailto:kickstart@kickstart.org)

April 20, 2007

Ms. Lalitha R. Gunthuri  
Goodwin Procter, LLC.  
53 State Street  
Exchange Place  
Boston, MA 02109



Re: Statement of Facts/ Abdilkadir Mohammed Musa

Dear Ms. Gunthuri:

KickStart has tried to reach Mr. Abdikadir M. Musa a number of times but have not been able to locate him. To date, we have:

- Tried his mobile phone number on several occasions but there has been no answer to our calls.
- Mailed a letter to his post office box on August 1, 2006. Mr. Musa has not replied to our request to contact us. Please see attached letter that we mailed. In Kenya, mail is only delivered to post office boxes—not to individual homes. See Kenya Post website link below:  
([http://www.posta.co.ke/detail\\_items.asp?item\\_id=18](http://www.posta.co.ke/detail_items.asp?item_id=18))
- Visited to his official residence and were told that he had moved to Tanzania and did not leave any forwarding information.
- Contacted a friend of Mr. Musa in Kenya and he did not know how to reach him either.

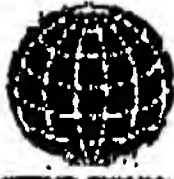
I certify that after diligent effort, we have not been able to locate the above named nonsigning inventor.

Sincerely,

**Anne Lantey**

**Manager, Human Resources & Administration**

**KickStart**



The Tools to End Poverty

**KickStart International Inc (formerly ApproTEC)**

P.O. Box 64142, NAIROBI 00620 KENYA

Tel/Fax Nos. +254-20-783046, 787380/1

E-Mail Address: kickstart@kickstart.org

1<sup>st</sup> August 2006.

Abdikadir M Musa  
PO Box 10973  
Nairobi

Dear Mr Musa

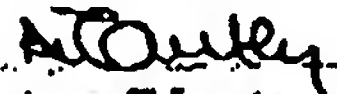
**Ref: Request for signature for Deep Well Irrigation Pump**

We are in the process of streamlining our documentation for patenting ApproTECs inventions. It is in this regard that we have been trying to contact you on phone but unsuccessfully. Subsequently, we sent our driver to check on you at your previous residential house. Similarly we hit a snag.

By this mail, we kindly request you to come to our offices and sign some documents urgently as it is noted you were involved in their inventions – precisely the Deep Well Irrigation Pump.

Thank you for your anticipated cooperation and hope to see you soon.

Kind regards,



Anne T Lantey

**Human Resource & Admin Manager**